IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7737 of 2007()

C.R.207/07 OF BADIADKA POLICE STATION

PETITIONER :

ROBERT D'SOUZA, S/O.INAS D'SOUZA,
MANIYAMPARA, MAIRE VILLAGE.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7737 OF 2007

Dated this the 14th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 984 packets of Karnataka arrack each containing 100 ml. He was arrested on 13/10/2007 and continues in custody from that date. The petitioner was involved in two other earlier crimes under the Kerala Abkari Act, submits the learned Public Prosecutor. Investigation is complete. Final report has already been filed.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner, who continues in custody from 13.10.07 in a crime where investigation is already completed, subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner

shall be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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